

EXHIBIT L

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FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

APR 13 2005

at 11 o'clock and 05 min1 M.
WALTER A. Y. H. CHINN, CLERK

DISCOVERY MASTER

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

WAYNE BERRY, a Hawaii citizen;) CIVIL NO. CV03-00385 SOM LEK

Plaintiff,) (Copyright)

)
vs.)
)

HAWAIIAN EXPRESS SERVICE,) ORDER REGARDING DOCUMENTS
INC., a California corporation; H.E.S.) OF IOWA TELECOM PRODUCED TO
TRANSPORTATION SERVICES, INC.,) THE DISCOVERY MASTER FOR HIS
a California corporation; CALIFORNIA) IN CAMERA REVIEW

PACIFIC CONSOLIDATORS, INC., a)

California corporation; JEFFREY P.)

GRAHAM and PETER SCHAUER,)

California citizens; MARK DILLON and)

TERESA NOA, BRIAN)

CHRISTENSEN, Hawaii citizens;)

FLEMING COMPANIES, INC., an)

Oklahoma corporation; C&S)

LOGISTICS OF HAWAII, LLC, a)

Delaware LLC; C&S WHOLESALE)

GROCERS, INC., a Vermont)
corporation; C&S ACQUISITIONS,)
LLC; FOODLAND SUPER MARKET,)
LIMITED, a Hawaii corporation;)
HAWAII TRANSFER COMPANY,)
LIMITED, a Hawaii corporation;)
RICHARD COHEN, a New Hampshire)
citizen, ES3, LLC, Delaware Limited)
Liability Company, MELVIN PONCE,)
SONIA PURDY, JUSTIN FUKUMOTO,)
AFREDDA WAIOLAMA,)
JACQUELINE RIO, Hawaii citizens;)
JESSIE GONZALES,)
(CAPTION CONTINUED))
LUIZ RODRIGUES, AL PEREZ,)
PATRICK HIRAYAMA, California)
citizens; GUIDANCE SOFTWARE,)
LLC, a California LLC; MICHAEL)
GURZI, a California citizen; ALIX)
PARTNERS, LLC a Delaware LLC;)
DOE INDIVIDUALS 2-350; DOE)
PARTNERSHIPS, CORPORATIONS)
and OTHER DOE ENTITIES 2-20,)
)
Defendants.)

**ORDER REGARDING DOCUMENTS OF IOWA TELECOM PRODUCED
TO THE DISCOVERY MASTER FOR HIS IN CAMERA REVIEW**

Pursuant to the request of the parties, the Special Discovery Master reviewed, *in camera*, those documents produced by Iowa Telecom, pursuant to a *subpoena duces tecum* issued by Timothy J. Hogan, as attorney for Plaintiff Wayne Berry. These documents may be generally identified as:

1. Telephone bills (page numbered 4066 – 4157)
2. CGDC Viewer Reports (page numbered 1-4065)

3. Information on activity for user 'tersan' as of 9/15/04 (page numbered 1-271)

The issues surrounding production versus protection shall be disposed of as follows:

Telephone Bills (page numbered 4066-4157)

Except for the business telephone numbers of Teresa Noa's current and former attorneys, the redactions made by Teresa Noa were reasonable and appropriate, and shall not be disturbed, without further information that such redacted information is relevant.

CGDC Viewer Reports (page numbered 1-4065)

Except with regard to the following categories of information, noted in the reports, the redactions made by Teresa Noa were reasonable and appropriate, and shall not be disturbed, without further information that such information is relevant:

- (1) Date
- (2) Orig NPA
- (3) Orig Number

(A) Redactions of the last 4 digits, consistent with the numbers redacted in the Telephone Bills, shall be permitted.

- (4) Term NPA

(5) Term Number

(A) Redactions of the last 4 digits, consistent with the numbers
redacted in the Telephone Bills, shall be permitted.

(6) Connect time

(7) Elapsed time

(8) Carr Conn Date

(9) Carr Conn Time

(10) Carr Elaps Time

Information on activity for user 'tersan' as of 9/15/04 (page numbered 1-271)

The redactions made by Teresa Noa were reasonable and appropriate, and shall not be disturbed, without further information that such information is relevant. None of the IP addresses identified is similar to those addresses alleged by Plaintiff to be relevant.

DATED: HONOLULU, HAWAI'I, APRIL 13, 2005.


CLYDE Wm. MATSUI
Discovery Master